

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

U.S. BANK, NATIONAL ASSOCIATION, in its
capacity as Trustee, JOSHUA N. TERRY, AND ACIS
CAPITAL MANAGEMENT, L.P.,

Plaintiffs,

-against-

THE CHARITABLE DONOR ADVISED FUND, L.P.,
CLO HOLDO LTD., AND NEXPOINT DIVERSIFIED
REAL ESTATE TRUST,

Defendants.

Case No. 1:21-cv-11059-GHW

NOTICE OF APPEARANCE

TO THE CLERK OF THE COURT AND ALL PARTIES OF RECORD:

PLEASE TAKE NOTICE that Michael Chen, a member of this Court in good standing, respectfully enters his appearance as counsel for counterclaim defendant Highland CLO Funding Ltd. (“HCLOF”) in the above-captioned action and requests that all pleadings, notices, filings, correspondence and other papers relating to this litigation be served on the undersigned.

PLEASE TAKE FURTHER NOTICE that the filing of this Notice of Appearance is made without waiver of or prejudice to any defenses that HCLOF has or might have in this action, including without limitation lack of personal jurisdiction.

Dated: New York, New York
June 6, 2023

AKIN GUMP STRAUSS HAUER & FELD LLP

By: /s/ Michael Chen
Michael Chen

One Bryant Park
New York, NY 10036
Telephone: (212) 872-8003
Facsimile: (212) 872-1002
mchen@akingump.com